

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,

v.

GAWFCO ENTERPRISES,
INCORPORATED,
Defendant.

Case No. 21-cv-00074-SK

CONDITIONAL DISMISSAL

Regarding Docket No. 17

Plaintiff advises the Court that the parties have reached a settlement of this case and that Plaintiff expects to file a dismissal with prejudice within sixty days. (Dkt. 17.) Both parties have consented to the jurisdiction of a magistrate judge pursuant to 28 U.S.C. § 636. (Dkts. 7, 9.) Therefore, **IT IS HEREBY ORDERED** that this cause of action is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this Court, within sixty days, with proof of service thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial. If no certification is filed, after passage of sixty days, the dismissal shall be **with** prejudice.

IT IS SO ORDERED.

Dated: June 17, 2021



SALLIE KIM
United States Magistrate Judge